

IN THE SENATE

SENATE BILL NO. 1174

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE DEPARTMENT OF LANDS; APPROPRIATING MON-
EYS TO THE DEPARTMENT OF LANDS FOR FISCAL YEAR 2024; LIMITING THE NUM-
BER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; EXEMPTING THE APPRO-
PRIATION FROM OBJECT TRANSFER LIMITATIONS; PROVIDING REAPPROPRIATION
AUTHORITY; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LANDS
FOR FISCAL YEAR 2023; PROVIDING LEGISLATIVE INTENT REGARDING SEASONAL
HOUSING; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF LANDS FOR
FISCAL YEAR 2023; PROVIDING LEGISLATIVE INTENT REGARDING PREVENTATIVE
FIRE MEASURES AND REQUIRING A REPORT; PROVIDING FOR ACCOUNTABILITY RE-
PORTS; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. There is hereby appropriated to the Department of Lands the
following amounts to be expended according to the designated programs and
expense classes from the listed funds for the period July 1, 2023, through
June 30, 2024:

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
I. BUSINESS SERVICES:					
FROM:					
General					
Fund	\$460,300	\$283,100	\$90,400		\$833,800
Indirect Cost Recovery					
Fund	74,200	128,200			202,400
Department of Lands					
Fund	831,900	438,500	179,900		1,450,300
Endowment Earnings Administrative					
Fund	<u>3,314,300</u>	<u>1,835,700</u>	<u>630,200</u>		<u>5,780,200</u>
TOTAL	\$4,680,700	\$2,685,500	\$900,500		\$8,266,700
II. FOREST RESOURCES MANAGEMENT:					
FROM:					
General					
Fund	\$1,194,400	\$724,700	\$77,800	\$20,000	\$2,016,900

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
1					
2					
3					
4					
5	Indirect Cost Recovery				
6	Fund	140,500	319,800		460,300
7	Department of Lands				
8	Fund	2,725,000	3,459,300	183,800	7,368,100
9	Endowment Earnings Administrative				
10	Fund	359,200	79,600		438,800
11	Community Forestry				
12	Fund		20,000	20,000	40,000
13	Federal Grant				
14	Fund	<u>1,386,600</u>	<u>5,349,000</u>	<u>3,000</u>	<u>9,654,000</u>
15	TOTAL	\$5,805,700	\$9,952,400	\$264,600	\$3,955,400
16	III. TRUST LAND MANAGEMENT:				
17	FROM:				
18	General				
19	Fund	\$140,700	\$1,900		\$142,600
20	Department of Lands				
21	Fund	161,100	277,500		438,600
22	Endowment Earnings Administrative				
23	Fund	<u>15,414,900</u>	<u>14,213,100</u>	<u>\$612,900</u>	<u>30,240,900</u>
24	TOTAL	\$15,716,700	\$14,492,500	\$612,900	\$30,822,100
25	IV. FOREST AND RANGE FIRE PROTECTION:				
26	FROM:				
27	General				
28	Fund	\$4,673,700	\$463,800	\$1,500	\$1,330,800
29	Department of Lands				
30	Fund	4,848,000	529,500	593,400	873,000
31	Fire Suppression Deficiency				
32	Fund	167,600	22,100		189,700
33	Endowment Earnings Administrative				
34	Fund			3,100	3,100
35	Federal Grant				
36	Fund	<u>797,800</u>	<u>1,305,000</u>	<u>0</u>	<u>450,000</u>
37	TOTAL	\$10,487,100	\$2,320,400	\$594,900	\$2,656,900

	FOR	FOR	FOR	FOR		
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND		
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL	
				PAYMENTS		
5	V. SCALING PRACTICES:					
6	FROM:					
7	Department of Lands					
8	Fund	\$246,400	\$57,200	\$1,500	\$305,100	
9	VI. MINERALS, PUBLIC TRUST, OIL AND GAS:					
10	FROM:					
11	General					
12	Fund	\$817,400	\$134,300		\$951,700	
13	Department of Lands					
14	Fund	397,100	1,266,800		1,663,900	
15	Oil and Gas Conservation					
16	Fund	128,200	86,900		215,100	
17	Navigable Waterways					
18	Fund	853,000	90,900		943,900	
19	Federal Grant					
20	Fund	<u>0</u>	<u>7,000,000</u>		<u>7,000,000</u>	
21	TOTAL	\$2,195,700	\$8,578,900		\$10,774,600	
22	GRAND TOTAL	\$39,132,300	\$38,086,900	\$2,374,400	\$6,612,300	\$86,205,900

23 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,
24 Idaho Code, the Department of Lands is authorized no more than three hundred
25 fifty-five and twenty-seven hundredths (355.27) full-time equivalent po-
26 sitions at any point during the period July 1, 2023, through June 30, 2024,
27 unless specifically authorized by the Governor. The Joint Finance-Appro-
28 priations Committee will be notified promptly of any increased positions so
29 authorized.

30 SECTION 3. EXEMPTIONS FROM OBJECT TRANSFER LIMITATIONS. The Department
31 of Lands is hereby exempted from the provisions of Section 67-3511(1) and
32 (3), Idaho Code, allowing unlimited transfers between expense classes for
33 all moneys appropriated to the Forest and Range Fire Protection Program for
34 the period July 1, 2023, through June 30, 2024. Legislative appropriations
35 shall not be transferred from one fund to another fund unless expressly ap-
36 proved by the Legislature.

37 SECTION 4. REAPPROPRIATION AUTHORITY. There is hereby reappropriated
38 to the Department of Lands any unexpended and unencumbered balances appro-
39 priated to the Department of Lands for the Trust Land Management Program and

1 the Forest and Range Fire Protection Program not to exceed \$3,200,000 for
2 fiscal year 2023 to be used for nonrecurring expenditures in capital out-
3 lay for the period July 1, 2023, through June 30, 2024. The Office of the
4 State Controller shall confirm the reappropriation amount, by fund, expense
5 class, and program, with the Legislative Services Office prior to processing
6 the reappropriation authorized herein.

7 SECTION 5. In addition to the appropriation made in Section 1, Chap-
8 ter 251, Laws of 2022, and any other appropriation provided by law, there
9 is hereby appropriated to the Department of Lands for the Trust Land Manage-
10 ment Program \$1,250,000 from the General Fund to be expended for operating
11 expenditures for the period July 1, 2022, through June 30, 2023, for seasonal
12 housing.

13 SECTION 6. SEASONAL HOUSING. The moneys provided in Section 5 of this
14 act for seasonal housing shall be used solely for the purpose of acquiring a
15 property in the Maggie Creek Supervisory Area and refurbishing it to be used
16 for seasonal housing. Any unexpended and unencumbered funds that have been
17 appropriated for this purpose are to be reverted at the end of fiscal year
18 2024 or as soon thereafter as practicable.

19 SECTION 7. In addition to the appropriation made in Section 1, Chap-
20 ter 251, Laws of 2022, and any other appropriation provided by law, there is
21 hereby appropriated to the Department of Lands for the Forest and Range Fire
22 Protection Program \$750,000 from the General Fund to be expended for oper-
23 ating expenditures for the period July 1, 2022, through June 30, 2023, for
24 equipment for statewide fire protection.

25 SECTION 8. PREVENTATIVE FIRE MEASURES. The moneys provided in Section 7
26 of this act for fire prevention measures shall be used for phosphate-based,
27 ground-applied, long-term retardants to prevent wildfire in critical and
28 strategic areas in accordance with Chapter 4, Title 38, Idaho Code. The De-
29 partment of Lands shall select areas for application of such retardants in
30 conjunction with GIS data and other prevention efforts, including work done
31 by other agencies, local governments, and timber protective associations.
32 At the close of the 2023 fire season, the Department shall evaluate the use of
33 these products as an effective means in preventing and containing wildfires.
34 The Department shall provide a report to the Joint Finance-Appropriations
35 Committee, the Senate Resources and Environment Committee, and the House
36 Resources and Conservation Committee, no later than January 8, 2024, on the
37 utilization of phosphate-based, ground-applied, long-term retardants, an
38 evaluation of its usefulness in preventing wildfires during the 2023 fire
39 season, and its effectiveness as a tool to prevent the start and spread of
40 wildfires.

41 SECTION 9. ACCOUNTABILITY REPORTS. Funds specifically identified in
42 statute or in an appropriation act as intended for a certain purpose may be
43 used only for that purpose. All funds provided in this act shall be subject
44 to accountability reports and management reviews in accordance with Section
45 67-702, Idaho Code.

1 SECTION 10. An emergency existing therefor, which emergency is hereby
2 declared to exist, Sections 5, 6, 7, and 8 of this act shall be in full force
3 and effect on and after passage and approval, and Sections 1, 2, 3, 4, and 9 of
4 this act shall be in full force and effect on and after July 1, 2023.